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OFFICE OF PETITIONS

In re Application of :
Patton et al. :
Application No. 10/607185 :
Filing or 371(c) Date: 06/26/2003 :
Attorney Docket Number: :
83891BF-P : **ON PETITION**

This is a decision on the "Petition for Withdrawal of Abandonment for Failure to Receive an Office Action," filed August 9, 2007. The petition is properly treated under 37 C.F.R. § 1.181.

This Petition is hereby **granted**.

The above-identified application became abandoned for failure to timely and properly reply to the non-final Office action, mailed January 24, 2007. The Office action set a three (3) month period for reply. No response having been received, the application became abandoned on April 25, 2007. A Notice of Abandonment was mailed August 3, 2007.

With the instant petition, Applicant has demonstrated non-receipt of the Office Action by a preponderance of the evidence.

In view of the foregoing, the petition is **granted**. The holding of abandonment is hereby withdrawn. No petition fee has been charged and none is due.

The application will be referred to Technology Center Art Unit 3677 for re-mailing of the Office action.

Telephone inquiries concerning this matter should be directed to the undersigned at (571) 272-3232.

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